

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

Lamonti Mitchell

V.

AMENDED
JUDGMENT IN A CIVIL CASE

Larry Small, Warden; Mike McDonald; Attorney
General Edmund G. Brown, Jr.

CASE NUMBER: 10cv1639 BTM (BGS)

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Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

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Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the Court Dismisses the Petition for a Writ of Habeas Corpus as untimely under 28 U.S.C. § 2244(d)(1). The Court Issues a Certificate of Appealability limited to the issue of equitable tolling. See *Lambright v. Stewart*, 220 F.3d 1022, 1025 (9th Cir. 2000) (holding that a COA should issue where the questions are adequate to deserve encouragement to proceed further, and any doubts whether a COA should issue are to be resolved in favor of petitioner).

April 24, 2012

Date

W. Samuel Hamrick, Jr.

Clerk

s/ E. Silvas

(By) Deputy Clerk

ENTERED ON April 24, 2012